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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/693,514	10/20/2000	Paul Lapstun	NPS024US	7916

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AUSTRALIA

EXAMINER

PHAM, THIERRY L

ART UNIT PAPER NUMBER

2624

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/693,514

Applicant(s)

LAPSTUN ET AL.

Examiner

Thierry L Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☒ Claim(s) 57 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. An updated status of the applications cited on pages 1-2 of the specification is required (i.e. patent number if the application have already been issued).

Claim Objections

2. Claim 57 is objected to because of the following informalities: "the method of claim 379" should read as "the method of claim 37". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8, 10-24, 26-43, 45-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Tabata et al (U.S. 6537324).

Regarding claim 1, Tabata discloses a printer (printer 470, fig. 20) for printing document information onto one or more of a plurality of print areas (medium form, fig. 2), each of the print areas including identity data indicative (two dimension code identifying linkage information, fig. 2, col. 10, lines 8-12) of identity information which differentiates (coded data as shown in fig. 2 is different from text data/graphic data) the print area from others of the plurality, the printer including at least one sensor (scanner 470a for sensing coded data as shown in fig. 2 and such scanner can be incorporated within the printer, fig. 20, col. 23, lines 10-12 and col. 25, lines 5-10) for sensing the identity information of the one or more print areas.

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Regarding claim 2, Tabata further discloses the printer of claim 1 wherein the identity data is represented on the print data in a coded form and the printer includes a decoder (two-dimensional bar code decoder, col. 23, lines 26-30) which receives coded data from the at least one sensor and outputs decoded data representing at least the identity data or at least the identity information.

Regarding claim 3, Tabata further discloses the printer of claim 1 wherein each identity information is represented on the print area by at least two discrete items (linkage information and document identifying information, fig. 2) of data and the decoder outputs decoded data representing at least the identity information after receiving said at least two separate items of data.

Regarding claims 4-6, Tabata further discloses the printer of claim 1 wherein said at least one sensor is positioned to sense said identity data before/during/after printing of the document information on the respective print area (scanner for sensing coded data at given moment, fig. 20).

Regarding claims 7-8, 10, Tabata further discloses the printer of claim 1 further including a transmitter (network, fig. 20) for transmitting information to a computer system.

Regarding claims 11-12, Tabata further discloses the printer of claim 1 wherein said printer derives (decoder, col. 23, lines 28-31) and transmits (network, fig. 20) identity data or identity information associated with a print area to a computer system (printer server, fig. 20) prior to receiving document data associated with said print area.

Regarding claim 13, Tabata further discloses the printer of claim 1 operable to over-print a print area having existing document (widely known in the art, i.e. text over graphic) information to render the existing document information unreadable.

Regarding claim 14, Tabata further discloses the printer of claim 1 wherein the printer includes a print mechanism for printing on at least two of print areas substantially simultaneously (widely known in the art, i.e., printers with multiple printheads for simultaneous printings).

Regarding claim 15, Tabata further discloses the printer of claim 1 wherein the at least one sensor is selected from an image sensor (scanner, fig. 20) and a magnetic sensor and a chemical sensor.

Regarding claims 16-17, Tabata further discloses the printer of claim 1 wherein the printer generates at least some of the information printed (medium form, fig. 2).

Regarding claim 18, Tabata further discloses the printer of claim 1 further including a user interface to enable user to input identity information into the printer (control panel incorporated within the printers are widely known in the art).

Regarding claim 19, Tabata further discloses a system for printing (fig. 20), the system including;

- (a) a computer system (print server, fig. 20);
- (b) a printer (printer 470, fig. 20) for printing document information onto a print area, the print area including identity data indicative of identity information (medium form, fig. 2) which differentiates the print area from other print areas including identity data, the printer including:

- (i) at least one sensor (scanner 470 for sensing coded data, fig. 20) the identity data of the print area;

- (ii) a transmitter (network, fig. 20) for transmitting data to the computer system, the data selected from one of the following:

- (1) the identity information (coded data, fig. 2);
 - (2) data representative of the identity information;
 - (3) the identity data, or
 - (4) data representative of the identity data,

the computer system including:

- (i) a receiver (network, fig. 20) for receiving transmitted data, and
- (ii) means for generating association data representative (print server for generating and storing correlated information file, fig. 20) of an association between the document information and the identity information;
- (iii) memory (print server, fig. 20) for storing the association data.

Regarding claims 20-24, 26-36 recite limitations that are similar and in the same scope of invention as to those in claims 2-8, 10-18 above; therefore, claims 20-24, 26-36 are rejected for the same rejection rationale/basis as described in claims 2-8, 10-18.

Regarding claims 37-43, 45-58, which are the method claims corresponding to the apparatus claims 1-8 and 10-18 and are in the same scope of invention. The method claims are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 1-8 and 10-18 above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9, 25, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tabata as described in claims 1, 19, and/or 37 above, and in view of Mizutani (U.S. 6078400).

Regarding claims 9, 25, and 44, Tabata does not explicitly disclose a means to detect failure to correctly print document information onto a print area and for generating a void signal on detection of said failure, the transmitter transmitting said void signal to the computer system.

Mizutani, in the same field of endeavor for printing, teaches a means (error detection device, fig. 3a) to detect failure to correctly print document information onto a print area and for generating a void signal (error signal, cols. 3-4) on detection of said failure, the transmitter (network, fig. 1) transmitting said void signal to the computer system.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Tabata as per teachings of Mizutani because of a following reason: (1) to correctly sense/detect the errors occurred while printing and/or within the printers and to quickly resolve such errors as per teachings of Mizutani; therefore, provides high output quality prints.

Therefore, it would have been obvious to combine Tabata with Mizutani to obtain the invention as specified in claims 9, 25, and 44.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) U.S. 6563601 to Yamada, discloses a printer comprising processor for printing multiple printable areas simultaneously using the multiple printheads, wherein the multiple printheads are disposed at a predetermined distance from each other in a scanning direction.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham

TP


GABRIEL GARCIA
PRIMARY EXAMINER